REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-23 and 25-58 remain pending, of which claims 1, 17-18, 35-36, 46, and 55 have been amended. Support for the amendments to the independent claims can be found in the Specification at least at p.17, line 21 to p.19, line 18 as described with reference to Fig. 3, and at least at p.25, line 16 to p.31, line 13 as described with reference to Fig. 6.

35 U.S.C. §103 Claim Rejections

Claims 1-23 and 25-58 are rejected under 35 U.S.C. §103(a) for obviousness over U.S. Patent No. 6,225,546 to Kraft et al. (hereinafter, "Kraft"), in view of U.S. Patent Publication No. 2002/0144587 to Naples et al. (hereinafter, "Naples") (*Office Action* p.2). Applicant respectfully traverses the rejection.

Kraft relates generally to a technique for summarizing audio data (*Kraft*, col.1, lines 23-24). Kraft describes that an audio composition is converted to MIDI format which is devoid of the structural information that contributes to the overall sound of an audio wave (*Kraft* col.5, lines 11-22). A MIDI analyzer arranges the song data into a standard format and a component parses the file into MIDI primitive data (*Kraft*, col.5, lines 42-45). A builder component analyses the MIDI data to detect repetitive patterns, and parses or breaks down the data into component parts to create a hierarchal structure representative of the song (e.g., into song, parts, tracks, measures, and notes) (*Kraft*, col.5, line 56 to col.6, line 9; Fig. 5). This summarization hierarchy is analyzed with algorithms to detect

the main melody part (*Kraft* col.6, lines 61-64; col.13, lines 43-44). The main melody part is used as a representative thumbnail of the composition which is the end product of Kraft (*Kraft*, col. 13, lines 45-46). Thus, Kraft describes breaking down an audio composition, determining the melody part, and using the melody part for a representative summary of the composition.

Contrary to breaking down an audio composition to determine a single representative part as described in Kraft, Applicant describes audio wave data playback in an audio generation system to create audio representations of, for example, interactive applications such as video games and Web sites. Multiple audio sources provide audio content (e.g., wave or MIDI track components) to a performance manager that receives the audio content and utilizes segment components to produce audio instructions for input to an audio rendition manager (*Description* p.13, lines 1-9). The audio rendition manager provides various audio data processing components that generate an audio rendition, i.e. process audio data into audible sound (*Description* p.13, lines 1-9). The audio rendition manager also provides real-time, interactive control over audio data processing. Thus, whereas Kraft only describes breaking down a single audio file to determine a thumbnail representative of the file, Applicant describes that multiple audio sources can be utilized to generate an audio rendition.

The Office cites Naples for providing multiple audio wave sources, and software for processing and the playback of audio wave track components, to include MIDI track components. (*Office Action* pp.5-6; *Naples* Fig. 1; ¶s [0009]-[0012] and ¶s [0014]-[0017]). Naples describes that an interactive process on a computer plays a multipart data file which includes an interactive

virtual instrument object and a global accompaniment object. The global accompaniment file object includes a synthesizer control file and a sound recording file. A virtual instrument management process generates a virtual instrument to process the multipart data file and generate a performance for the virtual instrument. An audio output process combines the performance with information in the global accompaniment object to generate a hybrid performance signal which is then provided to an audio amplification device. (*Naples* Fig. 1; ¶s [0009]-[0011]).

Contrary to the process of Naples, Applicant describes the audio rendition manager that includes various audio data processing components that generate the audio rendition (*Description* p.13, lines 1-9; p.17, lines 21-25). The audio rendition manager includes a mapping component, a synthesizer component, a multi-bus component, and an audio buffers component – none of which are shown or disclosed in either Kraft or Naples.

Claim 1 recites an audio generation system comprising "an audio rendition manager that includes the audio processing component which generates the audio rendition as streams of audio wave data, the audio rendition manager further including audio buffers to process the audio wave data, and logical buses that each correspond to one of the audio buffers, where each of the multiple streams of audio wave data are assigned to one or more of the logical buses such that a logical bus receives one or more of the streams of audio wave data from the audio processing component and routes the streams of audio wave data to the corresponding audio buffer".

Kraft and/or Naples do not teach or suggest the feature(s) of an audio rendition manager, as recited in amended claim 1, such as an audio processing component, audio buffers, and logical buses that each correspond to one of the audio buffers. Accordingly, independent claim 1 along with dependent claims 2-17 are allowable over the Kraft-Naples combination for at least these reasons, and Applicant requests that the §103 rejection be withdrawn.

Claim 18 recites an audio generation system comprising "an audio rendition manager that includes the audio processing component which generates the audio rendition as streams of audio wave data, the audio rendition manager further including audio buffers to process the audio wave data, and logical buses that each correspond to one of the audio buffers, where each of the multiple streams of audio wave data are assigned to one or more of the logical buses such that a logical bus receives one or more of the streams of audio wave data from the audio processing component and routes the streams of audio wave data to the corresponding audio buffer".

Kraft and/or Naples do not teach or suggest the feature(s) of an audio rendition manager, as recited in amended claim 18, such as an audio processing component, audio buffers, and logical buses that each correspond to one of the audio buffers. Accordingly, independent claim 18 along with dependent claims 19-23 and 25-35 are allowable over the Kraft-Naples combination for at least these reasons, and Applicant requests that the §103 rejection be withdrawn.

Claim 36 recites a method comprising "instantiating an audio rendition manager that includes the audio processing component which generates the audio rendition as streams of audio wave data, the audio rendition manager further including audio buffers to process the audio wave data, and logical buses that each correspond to one of the audio buffers, where each of the multiple streams of audio wave data are assigned to one or more of the logical buses such that a logical bus receives one or more of the streams of audio wave data from the audio processing component and routes the streams of audio wave data to the corresponding audio buffer".

Kraft and/or Naples do not teach or suggest the feature(s) of an audio rendition manager, as recited in amended claim 36, such as an audio processing component, audio buffers, and logical buses that each correspond to one of the audio buffers. Accordingly, independent claim 36 along with dependent claims 37-45 are allowable over the Kraft-Naples combination for at least these reasons, and Applicant requests that the §103 rejection be withdrawn.

Claim 46 recites a method comprising "instantiating an audio rendition manager that includes the audio processing component which generates the audio rendition as streams of audio wave data, the audio rendition manager further including audio buffers to process the audio wave data, and logical buses that each correspond to one of the audio buffers, where each of the multiple streams of audio wave data are assigned to one or more of the logical buses such that a logical bus receives one or more of the streams of audio wave data from the audio

processing component and routes the streams of audio wave data to the corresponding audio buffer".

Kraft and/or Naples do not teach or suggest the feature(s) of an audio rendition manager, as recited in amended claim 46, such as an audio processing component, audio buffers, and logical buses that each correspond to one of the audio buffers. Accordingly, independent claim 46 along with dependent claims 47-54 are allowable over the Kraft-Naples combination for at least these reasons, and Applicant requests that the §103 rejection be withdrawn.

Claim 55 recites computer readable media comprising computer executable instructions that, when executed, direct an audio generation system to perform a method comprising "instantiating an audio rendition manager that includes the audio processing component which generates the audio rendition as streams of audio wave data, the audio rendition manager further including audio buffers to process the audio wave data, and logical buses that each correspond to one of the audio buffers, where each of the multiple streams of audio wave data are assigned to one or more of the logical buses such that a logical bus receives one or more of the streams of audio wave data from the audio processing component and routes the streams of audio wave data to the corresponding audio buffer".

Kraft and/or Naples do not teach or suggest the feature(s) of an audio rendition manager, as recited in amended claim 55, such as an audio processing component, audio buffers, and logical buses that each correspond to one of the audio buffers. Accordingly, independent claim 55 along with dependent

claims 56-58 are allowable over the Kraft-Naples combination for at least these reasons, and Applicant requests that the §103 rejection be withdrawn.

Conclusion

Pending claims 1-23 and 25-58 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. If any issues remain that preclude issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: June 12, 2006   By: _David A. Morasch_____

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